Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently Amended) A computer implemented method for conducting an online auction of securities, on the Web, comprising the acts of:

providing a bid mechanism for receiving a competitive bid having a desired quantity of securities, a public price that is visible to all auction participants, and a private price that is not visible to auction participants other than at most a bidder who submitted the competitive bid and, when received, is within a protected range of the public price, wherein the private price represents a price that has an equal or greater likelihood of the competitive bid being allocated securities than the likelihood of the competitive bid being allocated securities based on the public price and the protected range is associated with the online auction whereby bidders are rewarded for anonymously revealing their bids early;

providing an allocation of the securities which allows winning bidders to pay a single market-clearing price that sells out the securities; and

providing a system whereby all participants can monitor the auction in real time.

2. (Currently amended) The method of claim 1 wherein the securities comprise equity securities or debt securities.

3. (Original) The method of claim 1 wherein the securities comprise commodities.

4. (Original) The method of claim 3 wherein the commodities comprise gold, silver or other commodities traded on a licensed commodity exchange.

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5. (Original) The method of claim 1 wherein the bid mechanism comprises an open Dutch auction process.

6. (Currently amended) The method of claim 1 wherein the bid mechanism, whereby bidders are rewarded for anonymously revealing their bids early, further comprises the additional act of entering a competitive bid comprising having a desired quantity of securities, a public price and a private price and two spreads over a benchmark treasury security.

7. (Currently Amended) The method of claim [[6]] 37 wherein each of the twopublic spreads and a private spread over a benchmark treasury security are stated in terms of one basis point increments.

8. (Currently Amended) The method of claim [[6]] 37 wherein two spreads over a benchmark treasury security comprise a first spread component and a second spread component, and wherein the first public spread component will be is revealed to other bidders or investors over the web by the openbook system, but an identity of the investor bidder associated with who entered the first public spread component will be remains anonymous (that is, not disclosed by the openbook system).

9. (Currently Amended) The method of claim 8 wherein the second private spread component may not be less than the first public spread component by more than a protected spread range.

10. (Currently amended) The method of claim 9 wherein the private spread second component (designated the "final bid") will is not be revealed to other bidders or investors until after the auction ends.

11. (Currently amended) The method of claim 8 wherein the first private spread component (the "initial bid") will is not be part of a firm offer by a bidder or investor at the time of auction close.

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12. (Currently amended) The method of claim 6 wherein the bidder may enter a non-competitive bid in addition to or in place of a competitive bid (designated a "non-competitive" bid) comprising wherein the non-competitive bid includes a desired quantity of securities and a spread equal to a designated minimum spread over [[the]] a benchmark treasury security.

13. (Currently Amended) The method of claim 12 wherein each of a new competitive bids and or a new noncompetitive bids will be is marked with a time stamp representing at a date and a time when a confirmation of a the new competitive bid or the new non-competitive bid is received by the openbook system.

14. (Currently amended) The method of claim 1 wherein the allocation of the securities which allows winning bidders to pay a single market-clearing price that sells out the securities further comprises the additional acts of:

conducting an open Dutch auction for a specific security auction deal by means of the openbook system a web-based system, wherein a quantity of securities to be auctioned is designated a [["]]deal size[["]];

at the end of the auction arranging approved bids from lowest to highest final bid price or spread component of a non-competitive bid;

designating bids as acceptable bids, all approved bids starting with a lowest final bid or lowest spread component for a non-competitive bid until an aggregate quantity of securities requested by the approved bids is greater that or equal to the deal size;

designating as a [["]]clearing spread[["]], the lowest spread component that results in the aggregate quantity of securities requested by the approved bids being greater that or equal to the deal size;

arranging all acceptable bids in order from earliest to latest time stamp value; and

allocating the securities to the acceptable bidders according to rules agreed upon prior to beginning the auction.

15. (Currently Amended) An apparatus for conducting an <u>online</u> auction of securities, ~~on the Web,~~ comprising:

a computer system, connected to Internet communications devices whereby bidders at remote terminals can communicate with the computer system;

a bid mechanism means coupled to the computer system for <u>receiving a competitive bid having a desired quantity of securities, a public price that is visible to all auction participants, and a private price that is not visible to auction participants other than at most a bidder who submitted the competitive bid and, when received, is within a protected range of the public price, wherein the private price represents a price that has an equal or greater likelihood of the competitive bid being allocated securities than the likelihood of the competitive bid being allocated securities based on the public price and the protected range is associated with the online auction</u> ~~rewarding bidders for anonymously revealing their bids early~~;

an allocation means coupled to the bid mechanism means for allocation of the securities which allows winning bidders to pay a single market-clearing price that sells out the securities; and

a display means at the remote terminals, coupled to the computer system via the Internet whereby all participants can monitor the auction in real time.

16. (Currently Amended) The apparatus of claim 15 wherein the securities comprise <u>equity securities or </u>debt securities.

17. (Original) The apparatus of claim 15 wherein the securities comprise commodities.

18. (Currently Amended) The apparatus of claim 17 wherein the commodities comprise gold, ~~or~~ silver<u> or other commodities traded on a licensed commodity exchange</u>.

19. (Original) The apparatus of claim 15 wherein the bid mechanism comprises an open Dutch auction process.

20. (Currently Amended) In a network having a user node including a browser program coupled to said network, said user node providing requests for information and providing bidding input commands on said network, a network node comprising:

[[•]]an ~~openbook system~~ auction server node responsive to a request from said user node to participate in a securities auction as a qualified bidder, whereby the ~~openbook system~~ auction server node:

provides a bid mechanism ~~through which bidders are rewarded for anonymously revealing their bids early~~ for receiving a competitive bid having a desired quantity of securities, a public price that is visible to all auction participants, and a private price that is not visible to auction participants other than at most a bidder who submitted the competitive bid and, when received, is within a protected range of the public price, wherein the private price represents a price that has an equal or greater likelihood of the competitive bid being allocated securities as the likelihood of the competitive bid being allocated securities based on the public price and the protected range is associated with the online auction, ~~and~~

provides an allocation of securities which allows winning bidders to pay a single market-clearing price that sells out the offered securities, and provides a system whereby all participating users can monitor the securities auction at the user node.

21. (Currently Amended) An ~~openbook system~~ auction server node in accordance with claim 20, wherein said securities comprise equity securities or debt securities.

22. (Currently Amended) An ~~openbook system~~ auction server node in accordance with claim 20, wherein said securities comprise commodities.

23. (Currently Amended) An ~~openbook auction~~ server node in accordance with claim 22, wherein the commodities comprise gold, ~~or~~ silver or other commodities traded on a licensed commodity exchange.

24. (Currently Amended) An ~~openbook system~~ auction server node in accordance with claim 20, wherein the bid mechanism comprises an open Dutch auction process.

25. (Currently Amended) An ~~openbook system~~ auction server node in accordance with claim 21, wherein the bid mechanism further ~~whereby bidders are rewarded for anonymously revealing their bids early~~ comprises entering a competitive bid ~~comprising~~ having a desired quantity of securities, a public price and a private price ~~two spreads over a benchmark treasury security~~.

26. (Currently Amended) An ~~openbook system~~ auction server node in accordance with claim ~~25~~48, wherein each of the ~~two~~ public spread[[s]] and private spread ~~over a benchmark treasury security~~ are stated in terms of one basis point increments.

27. (Currently Amended) An ~~openbook system~~ auction server node in accordance with claim ~~25~~49, wherein ~~the two spreads over a benchmark treasury security comprise a first spread component and a second spread component, and wherein~~ the first public spread ~~component will be~~ is revealed to other bidders ~~or investors~~ over the web ~~by openbook system~~, but an identity of the ~~investor~~ bidder associated with ~~who entered~~ the first public spread ~~component will be~~ remains anonymous ~~(that is, not disclosed by the openbook system)~~.

28. (Currently Amended) An ~~openbook auction~~ server node in accordance with claim 27, wherein the ~~second~~ private spread ~~component~~ may not be less than the ~~first~~ public spread ~~component~~ by more than a protected spread range.

29. (Currently Amended) An ~~openbook system~~ auction server node in accordance with claim 28, wherein the ~~second component (designated the "final bid ") will~~ private spread is not ~~be~~ revealed to other bidders ~~or investors~~ until after the auction ends.

30. (Currently Amended) An ~~openbook system~~ auction server node in accordance with claim 27, wherein the ~~first~~ private spread ~~component (the "initial bid ") will~~ is not ~~be~~ part of a firm offer by a bidder ~~or investor~~ at the time of auction close.

31. (Currently Amended) An ~~openbook system~~ auction server node in accordance with claim 25, wherein the bidder may enter a non-competitive bid in addition to or in place of a competitive bid ~~(designated a "non-competitive " bid)~~ wherein the non-competitive bid includes ~~comprising~~ a desired quantity of securities and a spread equal to a designated minimum spread over a [the] benchmark treasury security.

32. (Currently Amended) An ~~openbook system~~ auction server node in accordance with claim 31 [[3 1]], wherein each of a new competitive bid[[s]] ~~and~~ or a new non-competitive bid[[s]] ~~will be~~ is marked with a time stamp representing a date and ~~at~~ a time when a confirmation of ~~a~~ the new competitive bid or the new non-competitive bid is received ~~by the openbook system~~.

33. (Currently Amended) An ~~openbook system~~ auction server node in accordance with claim 20, wherein the allocation of the securities which allows winning bidders to pay a single market-clearing price that sells out the securities comprises:
    a first code mechanism for conducting an open Dutch auction for a specific security auction deal, wherein a quantity of securities to be auctioned is designated a [["]]deal size[["]];
    a second code mechanism coupled to the first code mechanism for arranging approved bids from lowest to highest final bid price or spread component of a non-competitive bid, the arranging being performed at the end of the auction;
    a third code mechanism coupled to the second code mechanism for designating as acceptable bids, all approved bids starting with a lowest final bid or lowest spread component for

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a non-competitive bid until an aggregate quantity of securities requested by the approved bids is greater that or equal to the deal size;

a fourth code mechanism coupled to the third code mechanism for designating as a [["]]clearing spread[["]], the lowest spread component that results in the aggregate quantity of securities requested by the approved bids being greater that or equal to the deal size;

a fifth code mechanism coupled to the fourth code mechanism for arranging all acceptable bids in order from earliest to latest time stamp value; and

a sixth code mechanism coupled to the fifth code mechanism for allocating the securities to the acceptable bidders according to rules agreed upon prior to beginning the auction.

34. (Currently Amended) A computer program product stored on a computer[[d]] useable medium, comprising[[;]] computer readable program comprising one or more code segments configured to~~means for causing the computer to~~:

conduct an auction of securities on the Web;

provide a bid mechanism for receiving a competitive bid having a desired quantity of securities, a public price that is visible to all auction participants, and a private price that is not visible to auction participants other than at most a bidder who submitted the competitive bid and, when received, is within a protected range of the public price, wherein the private price represents a price that has an equal or greater likelihood of the competitive bid being allocated securities than the likelihood of the competitive bid being allocated securities based on the public price and the protected range is associated with the online auction ~~whereby auction bidders are rewarded for anonymously revealing their bids early~~;

provide an allocation of the securities which allows winning bidders to pay a single market-clearing price that sells out the securities; and

provide a system whereby all participants can monitor the auction in real time.

35. (New) The method of claim 1 wherein:

a public price comprises a public price expressed in currency, and

a private price comprises a private price expressed in currency.

36. (New) The method of claim 35 wherein the private price is equal to or higher than the public price.

37. (New) The method of claim 1 wherein:

a public price comprises a public price expressed in a public spread that represents the difference between an interest rate that the bidder is willing to accept on the securities being auctioned and an interest rate associated with a selected benchmark treasury security, and

a private price comprises a private price expressed in a private spread that represents the difference between an interest rate that the bidder is willing to accept on the securities being auctioned and an interest rate associated with the selected benchmark treasury security.

38. (New) The method of claim 37 wherein the private price comprises a private spread that is equal to or lower than the public spread.

39. (New) The method of claim 1 wherein an identity of a bidder that entered a particular competitive bid is not revealed in association with the public price of the particular competitive bid.

40. (New) The method of claim 1, further comprising:

associating with a particular competitive bid a time stamp that is representative of a date and a time at which the particular competitive bid is received, and

using the time stamp in the allocation of securities.

41. (New) The method of claim 40 wherein using the time stamp in the allocation of securities comprises allocating securities to an earlier received competitive bid before allocating securities to a later received competitive bid.

42. (New) The method of claim 40 further comprising:

receiving a modification for the particular competitive bid, with the modification providing a new private price that exceeds the protected range, and

associating with the particular competitive bid an updated timestamp that is representative of a date and a time at which the modification is received, and

using the updated time stamp in the allocation of securities.

43. (New) The method of claim 2 wherein the debt securities comprise one of corporate bonds, municipal bonds, mortgage-backed bonds, emerging market bonds, and junk bonds.

44. (New) The method of claim 1 wherein the securities comprise money market instruments.

45. (New) The method of claim 44 wherein the money market instruments comprise one of United States treasury bills, bank certificates of deposit, commercial paper and repurchase agreements.

46. (New) The method of claim 1 wherein:

providing the bid mechanism comprises providing a bid mechanism for receiving at least one competitive bid and at least one non-competitive bid having a desired quantity of securities and no price limitation; and

providing the allocation of the securities comprises providing an allocation of the securities which allows winning bidders to pay a single market-clearing price that sells out the securities, the allocation allocating securities to non-competitive bids before allocating securities to competitive bids.

47. (New) The computer program product of claim 34 wherein the securities comprise equity securities or debt securities.

48. (New) The computer program product of claim 34 wherein the securities comprise commodities.

49. (New) The computer program product of claim 48 wherein the commodities comprise gold, or silver or other commodities traded on a licensed commodity exchange.

50. (New) The computer program product of claim 34 wherein the bid mechanism comprises an open Dutch auction process.

51. (New) The computer program product of claim 34 wherein:

a public price comprises a public price expressed in currency, and

a private price comprises a private price expressed in currency.

52. (New) The computer program product of claim 51 wherein the private price is equal to or higher than the public price.

53. (New) The computer program product of claim 34 wherein:

a public price is expressed in a public spread that represents the difference between an interest rate that the bidder is willing to accept on the securities being auctioned and an interest rate associated with a selected benchmark treasury security, and

a private price is expressed in a private spread that represents the difference between an interest rate that the bidder is willing to accept on the securities being auctioned and an interest rate associated with the selected benchmark treasury security.

54. (New) The computer program product of claim 53 wherein the private price comprises a private spread being equal to or lower than the public spread.

55. (New) The computer program product of claim 34 wherein an identity of a bidder that entered a particular competitive bid is not revealed in association with the public price of the particular competitive bid.

56. (New) The computer program product of claim 34 wherein the one or more code segments are further configured to:

associate with a particular competitive bid a time stamp that is representative of a date and a time at which the particular competitive bid is received, and

use the time stamp in the allocation of securities.

57. (New) The computer program product of claim 56 wherein using the time stamp in the allocation of securities comprises allocating securities to an earlier received competitive bid before allocating securities to a later received competitive bid.

58. (New) The computer program product of claim 56 wherein the one or more code segments are further configured to:

receive a modification for the particular competitive bid, with the modification providing a new private price that exceeds the protected range,

associate with the particular competitive bid an updated timestamp that is representative of a date and a time at which the modification is received, and

using the updated time stamp in the allocation of securities.

59. (New) The computer program product of claim 47 wherein the debt securities comprise one of corporate bonds, municipal bonds, mortgage-backed bonds, emerging market bonds, and junk bonds.

60. (New) The computer program product of claim 34 wherein the securities comprise money market instruments.

61. (New) The apparatus of claim 60 wherein the money market instruments comprise one of United States treasury bills, bank certificates of deposit, commercial paper and repurchase agreements.

62. (New) The computer program product of claim 34 wherein:

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the bid mechanism comprises a bid mechanism for receiving at least one competitive bid and at least one non-competitive bid having a desired quantity of securities and no price limitation; and

the allocation of the securities comprises an allocation of the securities which allows winning bidders to pay a single market-clearing price that sells out the securities, the allocation allocating securities to non-competitive bids before allocating securities to competitive bids.

63. (New) The auction server node of claim 20 wherein:

the public price is expressed in currency, and

the private price is expressed in currency.

64. (New) The auction server node of claim 63 wherein the private price is equal to or higher than the public price.

65. (New) The auction server node of claim 20 wherein:

the public price is expressed in a public spread that represents the difference between an interest rate that the bidder is willing to accept on the securities being auctioned and an interest rate associated with a selected benchmark treasury security, and

the private price is expressed in a private spread that represents the difference between an interest rate that the bidder is willing to accept on the securities being auctioned and an interest rate associated with the selected benchmark treasury security.

66. (New) The auction server node of claim 65 wherein the private price comprises a private spread equal to or lower than the public spread.

67. (New) The auction server node of claim 20 wherein an identity of a bidder that entered a particular competitive bid is not revealed in association with the public price of the particular competitive bid.

68. (New) The auction server node of claim 20 wherein the bid mechanism further comprises:

associating with a particular competitive bid a time stamp that is representative of a date and a time at which the particular competitive bid is received, and

using the time stamp in the allocation of securities.

69. (New) The auction server node of claim 68 wherein using the time stamp in the allocation of securities comprises allocating securities to an earlier received competitive bid before allocating securities to a later received competitive bid.

70. (New) The auction server node of claim 68 wherein the bid mechanism further comprises:

receiving a modification for the particular competitive bid, with the modification providing a new private price that exceeds the protected range,

associating with the particular competitive bid an updated timestamp that is representative of a date and a time at which the modification is received, and

using the updated time stamp in the allocation of securities.

71. (New) The auction server node of claim 21 wherein the debt securities comprise one of corporate bonds, municipal bonds, mortgage-backed bonds, emerging market bonds, and junk bonds.

72. (New) The auction server node of claim 20 wherein the securities comprise money market instruments.

73. (New) The auction server node of claim 72 wherein the money market instruments comprise one of United States treasury bills, bank certificates of deposit, commercial paper and repurchase agreements.

74. (New) The auction server node of claim 20 wherein:

the bid mechanism comprises a bid mechanism for receiving at least one competitive bid and at least one non-competitive bid having a desired quantity of securities and no price limitation; and

the allocation of the securities comprises an allocation of the securities which allows winning bidders to pay a single market-clearing price that sells out the securities, the allocation allocating securities to non-competitive bids before allocating securities to competitive bids.